UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,332	11/30/2001	Christopher A. Johns	16010-06209	5145

758	7590	09/08/2005

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EXAMINER
NGUYEN, CAO H

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/006,332	JOHNS ET AL.
	Examiner	Art Unit
	Cao (Kevin) Nguyen	2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 June 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-40* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-40* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) ☐ Notice of Informal Patent Application (PTO-152)
Paper No(s)/Mail Date _____ .	6) ☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c)

and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

1.   Claims 1-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toga (US

Patent No. 5,987,504) in view of Baker (US Patent No. 6,546,417).

Regarding claim 1, Toga discloses a method for reformatting messages for multiple

display environments, the method receiving a message for introduction into the user interface,

the message having a second format that differs from the first format such that introduction of

the message unmodified would produce a misalignment according to the first display parameter

(see col. 3, lines 25-60); and automatically reformatting the message to provide a reformatted

message that corresponds with the first format; providing a display of the reformatted message

within the user interface, wherein the displayed reformatted message conforms to the first

display parameter (see col. 4, lines 21-57); however, Toga fails to explicitly teach

Baker discloses determining a visual presentation of a user interface including a message

display area having a first format that includes a first display parameter [..email program which

includes and inbox list whereby different kinds of messages and attached document are displayed

with different kinds of icons; see col. 4, lines 61-67]. It would have been obvious to one of an

ordinary skill in the art at the time the invention was made to provide determining a visual

presentation of a user interface including a message display area having a first format that

includes a first display parameter as taught by Baker to the message delivering of Toga in order

to pertain to a system for delivering data over a network. It pertains to the indirect transfer of

information in response to an initial user operation.

Regarding claim 2, Toga discloses parameter, and the reformatted message conforms to

the first display parameter and the second display parameter [see col. 2, lines 1-9].

Regarding claim 3, Toga discloses, wherein the first format further includes a second

display parameter is a maximum number of display lines (see col. 3, lines 5-22).

Regarding claim 4, Toga discloses, wherein the first display parameter is a line length

and the second receiving the line length and the maximum number of display lines; and re-

flowing the message to provide a reformatted message having lines that correspond to the line

length (see col. 3, lines 24-60).

Regarding claim 5, Baker discloses wherein re-flowing the message comprises:

populating a current reformatted line within the reformatted message with a current line

from the message; and incrementing to a next reformatted line where insertion of an additional word from the current line would cause the current reformatted line to exceed the line length (see col. 12, lines 45-67).

Regarding claim 6, Toga discloses wherein re-flowing the message further comprises continuing to populate the current reformatted line with a next line from the message where the current line is exhausted before the current reformatted line exceeds the line length (see col. 4, lines 1-21).

Regarding claim 7, Baker discloses wherein re-flowing the message further comprises determining a paragraph break where the current line is exhausted and the current line is less than a predetermined minimum length (see col. 16, lines 29-67).

Regarding claim 8, Baker discloses wherein re-flowing the message further comprises determining a paragraph break where the current line is exhausted and a double line break is found before the next word in the message (see col. 7, lines 1-40).

Regarding claim 9, Baker discloses wherein the local system is a network based customer service system and the reformatted message is saved in a database used by the network based customer service system (see col. 9, lines 15-67).

As claim 10-18 are analyzed as previously discussed with respected to claims 1-9 above.

Claim 19 differs from claim 1 in that "an interface determination module, configured to determine provision of a user interface including a message display area having a first format that includes a first display parameter; a message buffer, configured to receive a message for

introduction into the user interface, the message having a second format that differs from the first

format such that introduction of the message unmodified would produce a misalignment

according to the first display parameter; and a reformatting module, in communication with the

interface determining module and the message buffer, configured to automatically reformat the

message to provide a reformatted message that corresponds with the first format, for provision of

a display of the reformatted message within the user interface, wherein the displayed reformatted

message conforms to the first display parameter" which read on Toga (see col. 3, lines 24-60

and col. 6, lines 13-64).

As claim 20-40 are analyzed as previously discussed with respected to claims 1-9 and 19

above.

Response to Arguments

Applicant's arguments filed on 06/24/05 have been fully considered but they are not

persuasive.

In response to applicant's argument on page 18 that there is no suggestion to combine the

references, the examiner recognizes that obviousness can only be established by combining or

modifying the teachings of the prior art to produce the claimed invention where there is some

teaching, suggestion, or motivation to do so found either in the references themselves or in the

knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071,

5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir.

1992). In this case, Toga discloses visual presentation of a user interface including a message

used in combination of Baker's generate displayed formatted. One skill in the art would have

been obvious to pertain to a system for delivering data over a network. It pertains to the indirect

transfer of information in response to an initial format user operation.

On pages 14-16 of the Remarks; Applicant argues that the combination of Toga and

Baker do not teach or suggest "visual presentation of a user interface including message format";

however, the limitations as claimed set forth to read on "Using the delivery method of the

present invention offers several advantages. First, the final retrieval of requested data can be

accomplished from a site other than the one that is currently requesting the data. In FIG. 2,

second client can perform the final retrieval of the requested file File.X from the designated E-

mail address instead of client which made the initial request. The requested data may include

audio, video, or other types of data that cannot be properly played back or displayed at

client 40 (e.g., because of a deficient hardware/software setup). However, most E-mail systems

allow access from a number of sites, such as second client, which may be more suitable to the

presentation of this so-called "rich" content. Second, the data delivery system of the present

invention allows a third party requester to find and deliver the data content to another

recipient. Thus, the user at second client can request that the user at client find and deliver

specific data. In environments which do not provide full connectivity (i.e., many parts of the

Internet system are transiently connected), the data delivery system of the present invention

allows a third party to deliver research results to requesting principals (e.g., second client 60)

(see Toga col. 5, lines 20-42).

On pages 14-16 of the Remarks; Applicant argues that the combination of Toga and

Baker do not teach or suggest "automatically reformatting to generate a reformatted message";

however, the limitations as claimed set forth to read on "The electronic mail software of the

present invention is described by example with reference to the email software of my previously

incorporated parent application which includes a main email component and a number of

installable components which communicate bidirectionally with the email component through

an application programming interface (API). The installable components include

authoring/reading components as well as at least one mailbox displayer component. FIG. 2a

illustrates an embodiment of the email software of my previously incorporated parent

application which displays an icon indicative of the authoring/reading component associated

with the mail message. This embodiment is also capable of receiving email from (and sending

email to) prior art email clients. FIG. 2a illustrates a mailbox list where two mail items are

shown with two icons, i.e. a paper clip and an ACROBAT icon and a paper clip and a

PHOTOSHOP icon. The dual icon display indicates that the mail was created without any

special authoring/reading component and has an attachment created by some other program, in

this case ACROBAT and PHOTOSHOP. The electronic mail software of the present invention

is described by example with reference to the email software of my previously incorporated

parent application which includes a main email component and a number of installable

components. According to the presently preferred embodiment, a component is also included

for maintaining a database of icons. FIG. 3 illustrates the relationship between these

components; see Baker col. 7, lines 18-41.

Accordingly, the claimed invention as represented in the claims does not represent a

patentable distinction over the art of record.

Conclusion

The prior arts made of record and not relied upon are considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach a method and a system for editing, linking, and modifying object icons in a hierarchical structure manner.

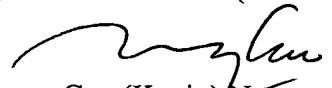**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cao (Kevin) Nguyen
Primary Examiner
Art Unit 2173

09/02/05